App F IX 4

Previous References (1941 / ML) ML File No 139 — 41
Serial Nos 1, 2

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos Area

Part B for December, 1941

SUBJECT

Appointment of Mr M Goenda Rao, B A LL B, Pleader, Shimoga, as Legal Adviser to the Shimoga Town Municipal Council at a fixed remuneration of Rs 360/- per annum

To The D C Shimoga
Comptroller

Sl 2) L 4719 20 Dy 6-12-41
~~L 3877 Dy 19-3-41~~

Sanction the —

10/12/41

3 619 [2] Appointment of a legal adviser on a fixed remuneration to the Shimoga Tn MC

General and Revenue Secretariat | M File No | of 1941—42 | [App F III-2

Serial No

From - The D C Shimoga
No 3 C 25/14/40-41 Dy 14-5-41
Fds the proposal of the Shimoga Town MC to appoint Mr H Govinda Rao, B A, LL B as legal adviser to the Shimoga Tn MC from 1-3-40 to 30-6-42 on a fixed remuneration of Rs 360 p a annum
Subbd with a draft G O sanctioning for appl
Dy 16/5 1) Draft calling for certain
for 14/5 particulars is subbd for

2 Issue letter

MM 16/5

To the D C Shimoga Draft
L 8371 Dy 19-5-41
Calls for certain information
from
The D C Shimoga
No 3 C 25/14/40-41 Dy 15-11-41
Fds the information called for
3) The statement furnishing details of the amounts provided for and disbursed under law charges of the annual budgets of the mcly since the year 1936-37
flagged C
4) Subbd for perusal and orders
Dy 25/11/41 P T O

TYPI ... V 1 41 ... & REV SECTT

72 (Vol)

Govt A

NOTE—Co tn Sl eet

Legal adviser to Shimoga Town Mcty

2902/K

File No of 194 | General and Revenue Secretariat

Serial No

5 The Statement at G does not seem to have been prepared with Care However, the following points are shewn Against item 2, the answer is that Charges were paid on the Merits of each Case This is vague How are perhaps fixed rates for Certain types of legal work The Protection Bar might enlighten

6 From the information given against item 3, the years average for the last 8 years is reduced as Rs 225

7 Again, the payments for the 8 years given against item 6 yield an years average of Rs 215

8 From the Municipality's own showing, the proposed rate of Rs 3 60 a year is easily forbidding on the basis of the Statistics given

9 Again, litigation or legal work may not be a Constant quantity every year A 'retained' lawyer would possibly prompt temptation to launch on avoidable actions

10 Viewed from whichever standpoint, a "legal adviser' to the Shimoga Town Mcty seems a supererogation, if not a luxury

Submitted for orders

Sk 29-11-41

1 The present arrangement according to which fees are paid to the Lawyer based on the number of cases handled by him appears to be more economical from the point of view of the finances of the Shimoga Town Mcty instead of paying an

Legal Advice to Shimoga Town Mty 2902

General and Revenue Secretariat | File No | of 193 | [App F III—2

Serial No

Sum of Rs 35/- p.m or Rs 360/- p.a to the Lawyer as a retaining fee

(2) The Law Section may be requested to advise which of these courses may be adopted with advantage for this Municipality.

Law Secy for 26/11/41

(3) There does not seem to be much work which is to be attended to by a lawyer in this Municipality. But if there is a permanent paid lawyer, the President may consult him now and then

The resolution may be approved

Minister L S G

Hm 26/11/41 for Hm 30/11/41

Hm 2/12/41 for Draft

Draft of G.O to be issued as asked

Hm 3/12/41 (This would mean that the payment from 1-3-40 would be met from the Current Year Grant)

4/12/41

Issue ✓ 4/12/41

OFFICE OF THE MINISTER FOR L S G & P H Dat 2-12-41 No 3234

TYPING SECTION 4 DEC 1941 BY SCTT

So no L 4719-20/40 139-41-2 dt 4-12-41

NOTE—Continuation Sheet

WD 0222—GPB—1 000—22-2-37

Secretariat Section

9/12/41

To The Dy Commr Shimoga

File No of 193

General and Revenue Secretariat

Serial No

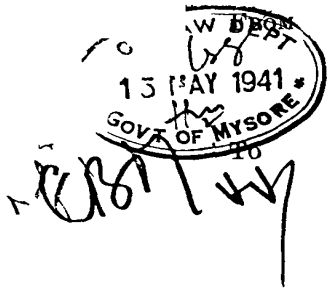
5619
L

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT

No M3 C 2514/40-41
Enc ~~One~~ Two

Dated Shimoga the 14th May *1941*

M 27-40-71



M SESHADRI Esq MA
Deputy Commissioner Shimoga District

To

H V Narayana Rao, Esq , B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore
Law *Department BANGALORE*

Subject — Legal advisor - appointment of - Shimoga Town Municipality

***

SIR

In enclosing herewith a copy of letter No C1-61/40-41 dated 6th March '41 received from the President, Shimoga Town Municipal Council, I have the honour to state that the municipal council, Shimoga have resolved at their meeting held on 25-2-40 that Mr M Govinda Rao, B A , LL B , Pleader, Shimoga be appointed legal advisor of the Shimoga municipality upto the end of June 1942 on a fixed remuneration of Rs 360/- per year

The President, Town Municipal Council, Shimoga has reported that the municipality has been entrusting all its cases to Mr M Govinda Rao and is also obtaining opinions on legal matters from him He has reported that the remuneration which is paid on the basis of work turned out by him, works out roughly on an average to Rs 500/-per annum He has opined that the appointment of a legal advisor on a fixed remuneration appears to be more advantageous than to pay remuneration on the basis of work turned out He has recommended that Mr M Govinda Rao may be appointed as legal advisor on a fixed remuneration of Rs 360/- per year

Provision is made in the Budget to meet this expenditure under the head "Law charges"

The remuneration fixed by the Municipal Council is reasonable

and

and I request that sanction of Government may kindly be obtained to the resolution of the Municipal Council for the appointment of Mr M Govinda Rao as Municipal Lawyer/legal advisor on a fixed remuneration of Rs 360/- per year with effect from 1-3-40 till the end of June 1942

The resolution of the Municipal Council is enclosed

I have the honour to be,
Sir,
Your most obedient servant,

Sd Suryanarayana Rao

for Deputy Commissioner,
Shimoga District

PROCEEDINGS OF THE SHIMOGA TOWN MUNICIPAL COUNCIL
HELD AT THE TOWN HALL AT 8-30 A M ON THE 25TH OF FEBRUARY 1940

X X X

SUBJECT NO -8 To appoint a legal adviser on a monthly salary to conduct all cases and prosecutions on behalf of the Municipality and for offering legal advice

RESOLUTION - A sum of Rs 360/- may be fixed as legal remuneration for all legal work including the conduct of Civil and Criminal Courts, Mr N Govinda Rao is appointed as legal adviser to this Municipality up to end of June 1942

X X X

Sd/- D R Chennarudraiya,
President,
Shimoga Town Municipal Council

" C O P Y "

PRESIDENT, 18/11/40
Shimoga Town Municipal Council

Letter No C1-61/40-41 dated 6th March 1941 from the President Town Municipal Council, Shimoga, to the Deputy Commissioner, Shimoga District, Shimoga

---

Subject - Regarding the appointment of a legal Adviser to the Shimoga Town Municipality

---

I have the honour to state that this Municipality is entrusting its cases and obtaining opinions in matters legal from Mr M Govinda Rao, B A , LL B , Pleader, Shimoga, for a long time and his remuneration was being paid on the basis of work turned out by him in each case The remuneration thus paid to him in the previous years amount roughly on an average to Rs 500/- annually Only important prosecutions were being entrusted to him Further important papers in which question of law are involved were also being referred to him for opinion As the Council thought that they could minimise this expenditure by appointing him as a legal adviser of the Municipality for a definite period, on a fixed remuneration, they (Municipal Council) resolved, at their ordinary General Meeting held on 25-2-40, that Mr M Govinda Rao be appointed as legal adviser of this Municipality upto the end of June 1942 on a fixed remuneration of Rs 360/- per annum for all the legal work of the Municipality done by him including the conduct of Civil and criminal cases A copy of the resolution is enclosed herewith for kind perusal Mr M Govinda Rao has been doing the legal work of this Municipality since the date of the resolution in accordance with the resolution All papers in which legal points are involved and his opinion is necessary are being referred to him especially in the matter of conveyances and leases Further important cases are being referred to him Even in less important cases he is being consulted by the Municipal Staff and prosecutions are conducted in Court under his guidance and instructions

In this connection I may be permitted to add that the appointment as legal adviser on a remuneration appears to be more advantageous to the Municipality than to pay him remuneration

P T O

on the basis of work turned out by him, because the Municipality will have the facility of consulting him on all legal matters without the burden of paying extra remuneration for his advice The remuneration fixed by the Council for his legal services is very reasonable considering the expenditure incurred in this behalf during the previous years Due provision is made in the Budget to meet this expenditure under the head Law Charges"

I request therefore that sanction of the Government may kindly be obtained to give effect to the resolution of the Council for the appointment of Mr M Govinda Rao as legal Adviser of this Municipality, commencing from 1st March 1940 till the end of June 1942

" Copy

ds Suryanarayana Rao

For Deputy Commissioner,
Shimoga District

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. L 8371/AL27-40-72 *Dated Bangalore* 19th May 1941

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Deputy Commissioner,
Shimoga District.

S i r,

Adverting to your letter No.M3.C 2514/40-41 dated 14th May 1941 recommending the appointment of Mr H.Govinda Rao, B A., LL B , as Legal Adviser to the Shimoga Town Municipal Council on a fixed annual remuneration of Rs 360/- per year, I am directed to request you to furnish information on the following points:-

1) **Since when has Mr Govinda Rao been handling the cases of the Shimoga Town Municipal Council?**
2) **On what basis were his charges determined?**
3) **How much has he been paid up to date?**
4) **When was he last paid?**
5) **Does the proposal to pay him the remuneration of Rs 360/- per annum with effect from 1st March 1940 imply that he has not been paid since that date?**
6) **What was the budget provision made under "Law charges" in the budgets of the Municipality for the last five years?**
7) **What were the amounts actually disbursed from the provision so made?**

An early reply is requested

I have the honour to be,
Sir,
Your most obedient servant,

H Arumachalam

for Secretary to Government,
Law Department.

TN-2)

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 6th May 1941

Signed by Mr. A. Krumadevi

List of enclosures

(nobs)

Copied by

Examined by

Section Ml

File No 27-40

Serial No 72

No L 937/

To The D C Shimoga Distt

Sir,

Adverting to your letter No M3 C 25-14/40 41 Dt 14-5-41 recommending the appt of Mr H Gowda Rao, B A LLB as Legal Adviser to the Shimoga Town Ml Cl on a fixed annual remuneration of Rs 360 per year, I am directed to request you to furnish information on the following points:—

1) Since when has Mr Gowda Rao been handling the cases of

the Shimoga Town M C ?

2) On what basis were the charges determined ?

3) How much has he been paid upto date ?

4) When was he last paid ?

5) Does the proposal to pay him the remuneration of Rs 360/- per annum with effect from 1-3-40 imply that he has not been paid since that date ?

6) What was the budget provision made for "Law charges" in the budgets of the mlly for the last five years ?

7) What are were the amounts actually disbursed from the provision so made ?

An early reply is requested

I have etc

Sd/-

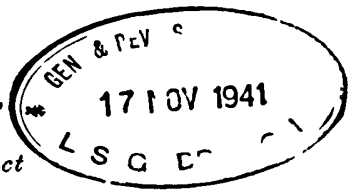
for Secy to Govt

No 139-41-1 2902/2

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT

No M 3 C 2514/40-41
Enc One

Dated Shimoga the 15th Nov. *19* 41



FROM

M Navaneetham Naidu, Esq , B A B L
Deputy Commissioner, Shimoga District

To

H V Narayana Rao, Esq B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore
IA&I *Department BANGALORE*

Subject — Legal Adviser - appointment of - Shimoga Town Municipality

****

SIR

With reference to your letter No L 8371 dated 19-5-1941 on the above subject, I have the honour to forward herewith a copy of letter No C 61/40 dated 15th October 1941 received from the President Town Municipal Council, Shimoga furnishing information on the points called for and to request that sanction of Government may kindly be obtained to the resolution of the Council for the appointment of a Legal Adviser to the Shimoga Town Municipality

I have the honour to be,
Sir,
Your most obedient servant

15 11 41
for Deputy Commissioner,
Shimoga District

Letter No C 61/40 dated 15th October 1941 ~~received~~ from the President Town Municipal Council, Shimoga to the Deputy Commissioner, Shimoga District

*****

Subject - Regarding the appointment of a legal adviser to the Shimoga Town Municipality

*****

With reference to your Memo No M 3 C 2514/40-41 dated 8-6-1941 on the above subject, I have the honour to furnish the following information as desired

1 Since when has Mr Govinda Rao been handling the cases of Shimoga Town Municipality	1 Since the last about 8 years
2 On what basis were his charges determined	2 i On the merits of each case previous to 1st March 1940 ii It is now proposed to remunerate him at Rs 30/- per month for the entire professional services rendered by him to Municipality as per resolution of the Council dated 25-2-40 from 1-3-40
3 How much has been paid upto-date	3 Rs 1800-3-0 for the last 8 years
4 When was he last paid	4 11th October 1940
5 Does the proposal to pay him the remuneration of Rs 360/- per annum with effect from 1st March 1940 imply that he has not been paid since that date? What was the budget provision made under "Law Charges" in the Budget of the Municipality for the last 5 years	5 He has been paid once on 11-10-40 Rs 210/- for a period of 7 months from 1-3-40 to 30-9-40 as per resolution of the Municipal Council dated 25-2-40

Year	Budget provision under Law charges Rs
1940-41	800/-
1939-40	800/-
1938-39	400/-
1937-38	400/-
1936-37	400/-

6 What were the amounts actually disbursed from the provision so made	1940-41 Rs 90/- paid on 1-10-1940
	1939-40 Rs 158-0-0 paid
	1938-39 Rs 601-12-0 paid
	1937-38 Rs 153-12-0 paid
	1936-37 Rs 160-8-0 paid

Bills in respect of the services rendered from 1-10-40 to 30-6-41 at Rs 30/- per month is Rs 270/- ~~Rs 270/-~~ P 270

P t O

B F Rs 270/-

6th item (continued)

Old bills of previous years to/a sum of Rs 235/- have not been paid and are pending Rs 235/-

Total Rs 505/-

It may be mentioned here that all the Civil ~~cases~~ Suits filed by this Municipality are entrusted to him , 29 Civil suits have been filed in Court during 1941-42 116 ~~cases~~ Suits will be filed in the course of this month alone Besides the prosecutions launched by the Municipality for the infringement of the bye-laws framed under the Town Municipal Act are invariably conducted under his guidance and advice His services are also being utilised for scrutiny of draft lease deeds exchange deeds and getting legal opinion in important and com licated cases The question of paying hi for all such services is being urged by the Municipal Lawyer In order to avoid innumerable bills for all such services the Municipal Council taking into consideration all these aspects of the case resolved that a remuneration of Rs 30/- per month be given to the Municipal Advocate for all his services

I request that sanction of Government may kindly be obtained to the resolution of the Council to pay at the rate of Rs 30/- per month to the Municipal Lawyer for his services

---

'Copy'

15/11/41

for Deputy Commissioner
Shimoga District

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Correspondence ending with letter No.L.S.C.2514/40-41 dated 15th November 1941, from the Deputy Commissioner, Shimoga District, requesting sanction, in the circumstances explained therein to the resolution of the Shimoga Town Municipal Council, to appoint Mr.M.Govinda Rao, B.A., B.L., Pleader, Shimoga, as Legal adviser to the Shimoga Town Municipality, on a fixed remuneration of Rs.30/- per year with effect from 1st March 1940 till the end of June 1942, the expenditure on this account being met from the provision made under "Law charges" provided in the current year's budget of the Municipality.

ORDER NO. L4719-20/MC139-41-2

Dated, Bangalore, the 6th December 1941.

SANCTIONED.

For Secretary to Government,
Law Department.

To

The Deputy Commissioner, Shimoga District ~~with records.~~
The Corptroller to Government.

mk.4

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Correspondence ending with letter No.M.S.C.2514/40-41 dated 15th November 1941, from the Deputy Commissioner, Shimoga District, requesting sanction, in the circumstances explained therein to the resolution of the Shimoga Town Municipal Council, to appoint Mr.M.Govinda Rao, B.A., L.L.B., Pleader, Shimoga, as Legal adviser to the Shimoga Town Municipality, on a fixed remuneration of Rs.300/- per year with effect from 1st March 1940 till the end of June 1942, the expenditure on this account being met from the provision made under "Law charges" provided in the current year's budget of the Municipality.

ORDER NO. L4719-20/Off139-41-2

Dated, Bangalore, the 6th December 1941.

SANCTIONED.

For Secretary to Government,
Law Department.

To

The Deputy Commissioner, Shimoga District ~~with records~~.
The Comptroller to Government.

rk.4

G R S App F VI—G 2]

SUBJECT

1 Le Civil

Diary No of letter replied to

Section M

File No 139-41

Serial No 2

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 6th Decr- 1941

Signed by Hy. G. Ramachandra Rao

Read— Correspondence ending with letter no M S C 2514/40-41 dt 15-11-1941, from the Dt Shimoga District, requesting Sanction, in the circumstances explained therein to the Resolution of the Shimoga Town Municipal Council, to appoint Mr M Govinda Rao, BA LL B, Order thereon —No Pleader, Shimoga, as Legal adviser to the Shimoga Town Mcpy, on a fixed remuneration of Rs 360/- per year with effect from 1-3-40 till the end of June 1942, The expenditure on this account being to be debited to "Law Charges" under the head "Municipalities" as per Budget of the Mcpy for 1941-42 dt. 6th Dec-.

May this be—

( ) printed ?

(ii) treated as a standing order ?

(i) published in the Gazette English Part ?

(vi) tran lated ?

(v) placed at the disposal of the press ?

(v) published in the Ga ette Kannada Part ?

To, The Dy. Comm Shimoga

Copy to be sent to Govt

Sanctioned

M Rao 14/11/41

List of Enclosure

Copied by

Examined by

WD 0 23—GPB—22 500—16 3 37

App F XI—4]

Sus Regr No 3

File No Mlay-110

Shall a reminder issue to [illegible] Shrimpton Dist

Serial No 72

for a reply to this Office No L8371, dated the

Subject

Calling for return of re appointment of Hs. Commandant B as the Legal Adviser Shrimpton Dist

Reply due Dec 1941 may perhaps be awaited

Issued 3/12/41

A reminder may be posted 11/41

Remainder sent 18/11/41

Issue 3/4

D/41

REMINDERS

No	Date	
L836	31 7 1941	
u3939	14 11 41	

1296—GPB—7 500—22 2 38